

TOWN OF WALLACE
MONTHLY TOWN COUNCIL MEETING
March 14, 2019
7:00 pm

The Wallace Town Council held its regularly scheduled monthly meeting in the Council Chambers at the Town Hall.

The following Governing Body members were present:

Charles C. Farrior, Jr., Mayor

Council Member/Mayor Pro-Tem Warren Hepler

Council Member Frank Brinkley

Council Member Jeff Carter

Council Member Jason Wells

The following member of the Governing Body was absent:

Council Member Wannetta Carlton

Also Present were:

Stevie Cox, Town Manager	Peggy Updike, PS Administrative Assistant
Jackie Nicholson, Town Clerk	Judge Henry L. Stevens, IV
Anna Heath, Town Attorney	Duane Batts
David Bizzell, Parks & Recreation Director	William Brooks
Kathy Bond, Tax Collector	Davis Carr
Anthony Colon, Public Services Director	Sandy Forehand
Jimmy Crayton, Police Chief	Benjamin Gonzales, Troop 35
Shameshia Fennell, Finance Director	Stephanie Gonzales
Rod Fritz, Planning Director	Linda Sikes
Gage King, Airport Manager	Rev. Curtis West
Ricky Raynor, Distribution & Collection System Supervisor	Abby Cavenaugh, Duplin Times

Mayor Charley Farrior called the regular meeting to order with a quorum of the governing body members present. Town Attorney Anna Heath gave the invocation.

The Pledge of Allegiance was recited.

Adoption of the Agenda

Mayor Farrior called for discussion of any changes or additions to the agenda. Mayor Farrior asked that a closed session for personnel be added. Council Member Warren Hepler made a motion to adopt the agenda with that addition. The motion was seconded by Council Member Jason Wells and approved by unanimous vote.

Presentations/Proclamations

Judge Henry L. Stevens, IV administered the oath of office to Council Member Frank Brinkley and Finance Director Shameshia Fennell.

Public Comment Period

Mr. Jimmy Blanton who lives at 217 Oak Street said that he has a storm drainage problem and it is washing out the street and two (2) driveways.

Rev. Curtis West said that he and his congregation were going to apply for annexation and asked the Council to consider the request favorably.

Consent agenda

Minutes from the February 14 monthly meeting and closed session, the February 21 special called meeting and the February 22 Council retreat.

Mayor Farrior called for discussion of the minutes. There being no corrections or additions, Council Member Wells made a motion to approve the minutes as submitted. The motion was seconded by Council Member Jeff Carter and approved by unanimous vote.

Old Business

Adoption of Resolution Accepting the State Appropriated Grant Fund (SAP)

Town Manager Stevie Cox reported that the Town was approved for a State Appropriation Grant from the North Carolina Division of Water Quality (NCDEQ) Water Infrastructure Fund for the Maple Creek pump station and force main improvements. To accept this award the Town must adopt an Offer and Acceptance Resolution of State Grant DWI Project No.: E-SAP-W-18-0019 Rehabilitation of Maple Creek Pump Station and Force Main and submit an executed copy of the funding offer and acceptance document, Federal Identification number, DUNS# and a sales tax certification.

Council Member Wells made a motion to adopt the proposed resolution and execute the documents. The motion was seconded by Council Member Carter and approved by unanimous vote.

Possible Approval of Farm Lease

Airport Manager Gage King stated that the lease on the property the Town was leasing at the airport had expired in January and one bid was received to enter into a new lease for the property. He asked for Council approval on this matter. Town Attorney Heath said that since it is a multi-year contract the North Carolina General Statutes require adoption of a Resolution of Intent to Lease Property, advertise it and then the Council may take action.

Council Member Brinkley made a motion to adopt such a resolution which was seconded by Council Member Wells and approved by unanimous vote.

New Business

Discussion of Appointments to the Planning Board and the Board of Adjustment

Planning Director Rod Fritz said that there are vacancies on both the Planning Board and Board of Adjustment and indicated that there are multiple projects requiring review and action in the next couple of months. Director Fritz stated that both boards have two (2) vacancies and the Board of Adjustment is in need of two (2) alternates. Mayor Farrior asked for a brief explanation of the duties of the boards and asked for volunteers. The Council discussed potential appointees and individuals who had agreed to serve. Mrs. Linda Sikes volunteered to be appointed to the Board of Adjustment.

Council Member Carter made a motion to appoint Linda Sikes, Glenda Mobley, Dean Butts and John Straw to the Board of Adjustment for terms of three (3) years. The motion was seconded by Council Member Brinkley and approved by unanimous vote.

Council Member Hepler made a motion to appoint Kevin Hager and Gage King to the Planning Board for terms to be determined which was seconded by Council Member Wells and approved by unanimous vote.

Discussion of Possible Donation of Property to the Town

Town Manager Stevie Cox stated that Dr. Thomas Wells made an offer to convey real property to the Town. This property is approximately 0.5 acres on West Main St. is in the R-10 zoning district. He said that there are no buildings on the property but there is a drainage ditch. The

property would probably not meet residential zoning setbacks. Mayor Farrior stated that a neighbor had expressed interest in the property.

Council Member Hepler made a motion to table action on this matter. The motion was seconded by Council Member Wells and approved by unanimous vote.

Adoption of Updated Duplin County Emergency Operations Plan

Manager Cox said that after Hurricane Florence the Duplin County Emergency Operations Plan was updated and asked the Council to approve and adopt the updated plan.

Council Member Hepler made a motion to approve and adopt the updated Duplin County Emergency Operations Plan which was seconded by Council Member Brinkley and approved by unanimous vote.

Disposition of Dump Truck That Caught on Fire

Manager Cox presented information regarding the dump truck that caught on fire. A bid for the truck was submitted by Mr. Eddie Brinson and the Council was asked to approve the disposition of this property by the upset bid procedure.

Council Member Wells made a motion to dispose of the 1999 GMC dump truck using the upset bid procedure which was seconded by Council Member Brinkley and approved by unanimous vote.

Tax Report

Tax Collector Kathy Bond presented the tax report for the February 2019 collections. Ms. Bond reported that year to date collections were up four-point seventy-six percent (4.76%) compared to last year and up four-point forty-eight percent (4.48%) compared to 10-year overall. Ms. Bond said that she mailed three-hundred forty-nine (349) Debt Set-off letters which is seventy-four (74) fewer than last year. Ms. Bond stated that delinquent advertisement letters would be sent and the list for publication would be presented at the next meeting.

Tax Releases

Tax Collector Bond presented the following tax liabilities for release

Account #	Name	Reason	Amount
2986	David Spetrino	Taxes paid in New Hanover County	\$99.37
1815	Brent Whitfield	Parcel owned by someone else	\$80.08

Council Member Brinkley made a motion to release these tax liabilities. The motion was seconded by Council Member Wells and approved by unanimous vote.

Financial Reports

Finance Director Shameshia Fennell presented information on utilities revenue and usage and reported that Sales and Use Tax is eleven percent (11%) higher than last year. Director Fennell added that cash on hand is in the amount of \$3,196,000.31. A draft Request For Proposals (RFP) for auditing services has been prepared. A staff member at the Cape Fear Council of Governments to help review it before sending it out.

Budget Amendment

Director Fennell presented Budget Amendment FY2018-2019 #10 Batch 28901 to transfer funds within the Police Department to cover the remaining cost, after insurance, to purchase a vehicle.

Council Member Wells made a motion to approve proposed Budget Amendment #10 which was seconded by Council Member Carter and approved by unanimous vote.

Council Reports

Council Members had no items.

Mayor's Items

Mayor Farrior referenced the 830 project and said that there is a ten-inch (10") sewer force main already in the ground under I-40 with a tracer line. A pressure test will be performed to determine whether the line has a leak.

Mayor Farrior said that the sewer discharge meters for Teachey and Greenevers are not accurate and need to be tested. To this point the status of the meters is unknown but permission to test has not been given. Mayor Farrior will contact both Mayors to get this done. Public Services Director Anthony Colon stated that the Brocks to construct a valut for the meter in the Town of Teachey.

Department Head Reports

The following reports were presented:

Jackie Nicholson, Town Clerk

- Preliminary stages of updating the Town's website

Rod Fritz, Planning Director

- Issued three (3) sign permits and eight (8) zoning permits
- Technical Review Committee met on two (2) multi-family developments
- Responded to a zoning violation
- Working on a variance request
- Discussion of future applications for annexation
- Met with Historic District Commission

Anthony Colon, Public Services Director

- Submitted request for FEMA extension
- Met with WK Dickson regarding the Teachey canal and the scope of work for the hydraulic study of the storm drainage system
- Mitigation of the lift stations

Gage King, Airport Manager

- Fuel Farm repairs are ninety-nine percent (99%) done a few parts still need replacing
- Restoration of the terminal building is moving along
- Navaid project is ordered, equipment is on a ten (10) week back order
- Equipment lost during the hurricane had been replaced (mower and golf cart)
- Hangar demolition and washout repair underway, should be completed by end of April
- Dispose of surplus property by sealed bid rather than on govdeals.com

David Bizzell, Parks & Recreation Director

- Most of the work at the Mill Pond is complete
- Still working on ball fields, rain has held up progress
- Campbell Center roof repairs in progress
- Baseball and softball have started practice
- Warsaw has joined the Coach Pitch league
- Completing the walkway and sidewalk to the pier for the Wildlife Resources Commission project

Jimmy Crayton, Police Chief

- Reported on a fire in the trunk of one of the police cars
- Inservice training for 2019 will be twice a month until October
- A suspect in a 2015 homicide will be making a plea deal tomorrow
- Fast Lane murder case has been re-opened, CBS station WWAY is doing a cold case segment on it

- Along with Friends of the Wallace Parks the Police Department is have a touch-a-truck event at the Airport
- Need two (2) patrol cars which are in Clinton waiting on upfit
- Met with Enterprise Fleet Management to discuss their program

Shamshia Fennell, Finance Director

- Separation of duties to avoid audit finding
- Looking at Teleco Contract
- Scheduled training for Clockwise

Manager's Items

Mr. Cox updated the Council on the following items:

- Working with both the North Carolina League of Municipalities (NCLM) and FEMA on Hurricane Florence damages
- New HVAC installed in the Town Hall
- Emergency Watershed Protection Program letter for Little Rockfish Creek

Attorney Heath said that the Council needed to adopt a resolution to dispose of the surplus airport property by the sealed bid method that was requested by the Airport Manager earlier.

Council Member Hepler made a motion to dispose of the airport surplus property (lawn mower and golf cart) by the sealed bid method. The motion was seconded by Council Member Brinkley and approved by unanimous vote.

Closed Session

Council Member Wells made a motion to go into a closed session per GS 143-318.11(a)(6) to discuss a personnel matter. The motion was seconded by Council Member Brinkley and approved by unanimous vote.

The discussion centered around a letter of resignation from a department head and the qualifications of a particular individual to take the position.

Council Member Wells made a motion to end the closed session that was seconded by Council Member Hepler and approved by unanimous vote.

With there being no other business to discuss, Council Member Carter a motion to adjourn. The motion which was seconded by Council Member Hepler and approved by unanimous vote.

Respectfully submitted,

Charles C. Farrior, Jr., Mayor

Jacqueline Nicholson, CMC, NCCMC
Town Clerk

**Offer and Acceptance Resolution of
State Grant DWI Project No.: E-SAP-W-18-0019
Rehabilitation of Maple Creek Pump Station and Force Main**

WHEREAS, the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, water conservation projects, and

WHEREAS, the North Carolina Department of Environmental Quality has offered a **State Appropriation Grant (SAP)** in the amount of **\$830,000** for the Rehabilitation of the Maple Creek Pump Station and Force Main, and

WHEREAS, the Town of Wallace intends to construct said project in accordance with the approved plans and specifications,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL of TOWN OF WALLCE:

The Town of Wallace does hereby accept the **State Appropriation Grant** offer of **\$830,000**.

That the Town of Wallace does hereby give assurance to the North Carolina Department of Environmental Quality that all items specified in the State Appropriation Grant Offer, Section II – Assurances will be adhered to.

That Mayor Charley Farrior, Jr. and Town Manager Stevie Cox, and successors so titled, are hereby authorized and directed to furnish such information as the appropriate State Agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Town of Wallace has substantially complied or will substantially comply with all Federal, State and Local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the **14th** Day of **March 2019** at the Wallace Town Council Meeting.

Charles C. Farrior, Jr., Mayor

Attest:

Jacqueline Nicholson, Town Clerk

RESOLUTION OF INTENT TO LEASE PROPERTY

WHEREAS, the Town Council of the Town of Wallace ("Town") has determined that the real property of the Town described below will not be needed by the Town for a term of three (3) years:

Being a portion of the real property owned by the Town of Wallace upon which the Wallace Municipal Airport is located that is located in Union Township, Pender County, North Carolina, the leased portion being described as follows: Being all of the cleared land located adjacent to the runway, consisting of 60.0 acres, more or less.

WHEREAS, the Town Council desires to lease the real property of the Town described above;
and

WHEREAS, the Town Council intends to consider authorizing such lease at its regular meeting to be held on the 09 day of May, 2019;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Wallace that:

1. The Town Clerk shall cause to be published at least thirty (30) days prior to May 09, 2019, a notice as required by N.C.G.S. 160A-272.
2. At its regular meeting on May 09, 2019, the Town Council intends to authorize the lease of the real property of the Town described above.

Adopted this _____ day of March, 2019.

By: _____
Charles C. Farrior, Jr., Mayor

Attest:

Jacqueline Nicholson, Town Clerk

**Resolution Authorizing the Advertisement for Upset Bids
for the Sale of a 1999 GMC Dump Truck**

WHEREAS, the Town Council of the Town of Wallace desires to dispose of certain surplus property of the Town of Wallace;

WHEREAS, North Carolina General Statute § 160A-269 permits the Town to sell property by upset bid, after receipt of an offer for the property;

WHEREAS, the Town has received an offer to purchase the property described above, in the amount of \$1,500.00, submitted by Brinson Farms; and

WHEREAS, Brinson Farms has paid the required five percent (5%) deposit on his offer;

NOW, THEREFORE, BE IT RESOLVED by the Town Council if the Town of Wallace that:

1. The following described property is hereby declared to be surplus to the needs of the Town of Wallace: 1999 GMC Dump Truck.
2. The Town Council authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute § 160A-269.
3. The Town clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
4. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the Town Clerk within 10 days after the notice of sale is published. At the conclusion of the 10-day period, the Town Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
5. If a qualifying higher bid is received, the Town clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Town Council.

6. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
7. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The Town will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The Town will return the deposit of the final high bidder at closing.
8. The terms of the final sale are that
 - the Town Council must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed, and
 - the buyer must pay with cash, cashier's check, or certified check at the time of closing.
9. The Town reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.
10. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate Town officials are authorized to execute the instruments necessary to convey the property to Brinson Farms.

Adopted this ____ day of _____, 2019.

Charles C. Farrior, Jr., Mayor

Jacqueline Nicholson, Town Clerk

Town of Wallace Budget Amendment (FY 2018-2019 #10 Batch 28901)

Be it ordained by the Town Council of the Town of Wallace, North Carolina the following amendments be made to budget for the fiscal year ending June 30, 2019:

Section I:	GENERAL FUND		
<u>Expenditures:</u>			
Account Number	Account Description	Increase	Decrease
10-5100-020	SALARIES		\$10,037.20
10-5100-760	CAPITAL OUTLAY-VEHICLES	\$10,037.20	
	Total	\$10,037.20	\$10,037.20

Section III: Copy to Finance Director:

Copies of this budget amendment shall be delivered to the Finance Director for their direction in the disbursement of funds:

Adopted this the 14th day of March 2019

Charles C. Farrior, Jr., Mayor

Jacqueline Nicholson, Town Clerk